



Rwanda Parliament Support Project



PROJET D'APPUI AU PARLEMENT DU RWANDA

B.P. 7193, Kigali, Rwanda

Tel: (250) 500060

Email: ardsuny@rwanda1.com

Some Considerations for the New Parliament

Introduction

For nearly three years, ARD has provided training and technical assistance to the Rwanda Transitional National Assembly. USAID has recently decided to continue this assistance for the new Parliament until September 29, 2004. To date, the project has undertaken a number of initiatives, including training programs for legislators and staff on executive oversight, budget analysis, increasing citizen participation, and bill drafting; installation of the internet café in the library; training of 96 Deputies and staff on use of the internet; and a study tour to the Uganda Parliament. The project director Dr. Douglass Teschner served for 12 years as a legislator in the New Hampshire House of Representatives, having been elected six times.

New Opportunities

This is an exciting time for Rwanda as this nation faces a period of change and the evolution of democracy, including the shift in the legislative role from appointed to elected, the increase in the number of women legislators, and many changes resulting from the new Constitution, including legislative autonomy and bicameralism. In anticipation of these changes, the ARD project worked with the Transitional National Assembly to develop proposals for the new Parliament to consider, including drafts of (1) an Autonomy Law, (2) Personnel Regulations, (3) Staff Reorganization, and (4) Internal Regulations.

Autonomy Law

The new Constitution (article 74) gives the Parliament important new powers of autonomy, which are absolutely critical for separation of powers, legislative independence, and executive oversight. ARD hired Hon. Dan Ogalo, former Uganda MP and current East Africa MP, to draft an autonomy law. It was revised based upon input of MPs and staff during workshops in July 2003 and is currently being redrafted by the parliamentary staff. General principles of the proposed autonomy law are:

- (1) The preparation of the budget shall be with a view of achieving adequate allocation of resources to Parliament within the general framework of national resources.

- (2) The management of the budget of Parliament shall take into account the changing priorities of Parliament, shall avoid waste and loss and ensure efficient functioning of Parliament.
- (3) The appointment, promotion and disciplinary control of the personnel of the Chamber of Deputies and of the Senate shall be made with a view of providing an efficient, results-oriented, committed and non-partisan staff service.
- (4) The affairs of Parliament shall be conducted in such a manner as to maximize the operation of the doctrine of separation of powers, so as to protect the resources of the nation from misuse and prevent abuse of office by those entrusted with the management of public affairs.
- (5) Parliament must be enabled to carry out the basic functions of oversight, representation and legislation in order to enhance the democracy so far achieved.

The proposed organic law creates the three Councils. The Council of Deputies has representation from both the Bureau and MPs elected by their colleagues. Its functions include:

- a) Preparing the budget of the Chamber.
- b) Recruiting, promoting and exercising disciplinary control over the personnel of the Chamber.
- c) Preparing the terms and conditions of employment in the Service of the Chamber.
- d) Ensuring the security of members of Parliament and Parliamentary facilities.
- e) Providing research, informational and library services for Parliament.

The Senate Council has a parallel structure and powers. Each chamber will have a Clerk who will report to the Council.

The third Council consists of three members from each of the other two Councils. The proposed functions of this Joint Council include:

- a) Overseeing the functioning of the Department for Shared Services
- b) Coordinating other activities requiring the cooperation of the Chamber of Deputies and the Senate

Personnel Regulations

The new Constitutional powers of autonomy give each chamber the authority to oversee its own staff. In recognition of this power, personnel regulations were developed by Hon. Ogalo and presented at workshops with staff and MPs in July. The intention is to create a service that is totally loyal and answerable only to the Parliament. The latest version (draft 4) includes suggestions from the staff. Under the provisions of the proposed autonomy law, the Council of each Chamber has the authority to adopt the personnel regulations.

Hon. Ogalo completed a July 2003 report entitled “Report of the Consultancy on the Legislative Autonomy of the Parliament of Rwanda” which includes the proposed Autonomy Law and Personnel Regulations and is available on request.

Staff Reorganization

The staff of parliament plays a critical role in ensuring its effectiveness. The proposed staff reorganization, which also was developed with input from Hon. Ogalo of Uganda, is designed to (1) increase staff capacity in critical areas (budget analysis, research, and bill drafting), (2) develop staffing for the new Senate, (3) modernize management structures with a Board of management for each chamber, and (4) maximize efficiencies by sharing staff between the two chambers where it is logical and beneficial.

Attached is an overview of the proposed staffing structure. The details, including organizational charts of each of the three staff units, is incorporated in the Sept. 6, 2003 report entitled, “Modernization and Reorganization of the Rwanda Parliament Management and Professional Staff Capacity (including Proposed Staffing for the New Senate)” by Dan Wandera Ogalo, Douglass Teschner, and Gregory Wierzynski.

Internal Regulations

In July 2003, American Dr. Robert Nakamura conducted a training program on Bicameralism, including discussion of the internal rules of the Transitional National Assembly and how they could be (1) modernized and (2) changed to reflect the new bicameralism. Dr Nakamura’s report, “Organizational Planning for the Post-Transitional Legislative Process: Internal Rules Modernization for a Bicameral Parliament,” is available upon request.

As a result of this workshop, and further work by Dr. Teschner and the parliamentary staff, proposed new rules were developed for the Chamber of Deputies to increase transparency and increase citizen participation in the legislative process. These can be easily modified for use by the Senate. Some of the proposed innovations include:

- Increased public access to information through the library and web site
- Open committee meetings
- Public hearings on proposed legislation

- Joint procedures describing how the two chambers will work together
- A procedure for development of a legislative Code of Conduct
- Subpoena powers to ensure the Parliament's right to compel testimony
- The opportunity to create informal legislative caucuses
- Creation of a special Parliamentary Security Unit
- Management improvements and clearer lines of authority.

Future Activities

Our new contract with USAID incorporates a variety of proposed new initiatives over the next year including:

- Training of the new Deputies on Legislative Procedures, Executive Oversight, Budget Analysis, etc.
- Bicameralism Training as well as a Study Tour to South Africa, which has a bicameral legislature
- Support to Strengthen Committees, including policy assistance
- Increasing Citizen and Civil Society Participation in the Legislative Process, including public hearings
- Improving Communication between the Parliament and Rwandan Citizens including outreach efforts, expanding information to the web site, and enhancement of press capacity to report on parliamentary activities
- Enhancing Staff Capacity including staff reorganization, human resource development, enhanced internal training capacity, and follow-up on the electronic archiving efforts to date.

As before, we will try to be flexible in responding to your needs within the context of USAID requirements and funding limitations.

Douglass P. Teschner, Ed.D., Chief of Party
 ARD Rwanda Parliament Support Project
 PO Box 7193
 Kigali, Rwanda
 tel (250) 500060 mob 08560729

Deliverable 003; October 14, 2003

PROPOSED PARLIAMENTARY SERVICE

5

